

JS 44C/SDNY
REV. 5/2010**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS**DEFENDANTS**

Hiram Torres

Detective JAMES BARRY, et al.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)**ATTORNEYS (IF KNOWN)**

Harvis Wright & Fett LLP, 305 Broadway, 14th Floor, New York, NY 10007 - (212) 323-6880

Office of the Corporation Counsel, 100 Church Street, New York, NY 10007

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 U.S.C. § 1983

Has this or a similar case been previously filed in SDNY at any time? No? ☒ Yes? ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT**ACTIONS UNDER STATUTES**

		TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
CONTRACT		PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 610 AGRICULTURE	<input type="checkbox"/> 422 APPEAL			<input type="checkbox"/> 400 STATE	
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 620 OTHER FOOD &	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 410 ANTITRUST			<input type="checkbox"/> 430 BANKS & BANKING	
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 625 DRUG RELATED		<input type="checkbox"/> 450 COMMERCE			<input type="checkbox"/> 460 DEPORTATION	
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 630 LIQUOR LAWS	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 470 RACKETEER INFLU-			<input type="checkbox"/> 480 CONSUMER CREDIT	
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 640 RR & TRUCK	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 490 CABLE/SATELLITE TV			<input type="checkbox"/> 490 CABLE/SATELLITE TV	
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 810 SELECTIVE SERVICE			<input type="checkbox"/> 850 SECURITIES/	
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 660 OCCUPATIONAL		<input type="checkbox"/> 861 HIA (1395ff)			<input type="checkbox"/> 875 CUSTOMER	
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 881 AGRICULTURAL ACTS			<input type="checkbox"/> 892 ECONOMIC	
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 371 TRUTH IN LENDING		<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 892 ECONOMIC			<input type="checkbox"/> 893 ENVIRONMENTAL	
<input type="checkbox"/> 160 STOCKHOLDERS SUITS	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 380 OTHER PERSONAL	LABOR	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 894 ENERGY			<input type="checkbox"/> 895 FREEDOM OF	
<input type="checkbox"/> 190 OTHER CONTRACT	<input type="checkbox"/> 355 MOTOR VEHICLE	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 900 APPEAL OF FEE			<input type="checkbox"/> 950 CONSTITUTIONALITY	
<input type="checkbox"/> 195 CONTRACT PRODUCT	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 720 LABOR/MGMT		<input type="checkbox"/> 950 CONSTITUTIONALITY				
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 730 LABOR/MGMT	FEDERAL TAX SUITS					
	ACTIONS UNDER STATUTES	PRISONER PETITIONS	<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or					
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 790 OTHER LABOR	<input type="checkbox"/> 871 IRS-THIRD PARTY					
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 791 EMPL RET INC	<input type="checkbox"/> 871 IRS-THIRD PARTY					
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 791 EMPL RET INC	<input type="checkbox"/> 871 IRS-THIRD PARTY					
<input type="checkbox"/> 230 RENT LEASE &	<input type="checkbox"/> 443 HOUSING/	<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 791 EMPL RET INC	<input type="checkbox"/> 871 IRS-THIRD PARTY					
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 444 WELFARE	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> 791 EMPL RET INC	<input type="checkbox"/> 871 IRS-THIRD PARTY					
<input type="checkbox"/> 245 TORT PRODUCT	<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> 791 EMPL RET INC	<input type="checkbox"/> 871 IRS-THIRD PARTY					
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(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2a. Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1322, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

305 Broadway, 14th Floor, New York, NY 10007

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

One Police Plaza, New York, NY 10038

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION.)

DATE 4/21/2013 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO
☒ YES (DATE ADMITTED Mo. 04 Yr. 2007)
 Attorney Bar Code #GH2772

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)